

PRODUCT: 81 cases, each containing 6 6-pound, 7-ounce cans, of blackberries at Atlanta, Ga.

LABEL, IN PART: "Le-Ko Brand * * * Wild Blackberries Packed in Water."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: October 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11406. Adulteration of canned blackberries. U. S. v. 137 Cases * * *. (F. D. C. No. 21157. Sample No. 61619-H.)

LABEL FILED: October 1, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about September 9, 1946, by the Pacific Fruit & Produce Co., from Portland, Oreg.

PRODUCT: 137 cases, each containing 6 6-pound, 7-ounce cans, of blackberries at Seattle, Wash.

LABEL, IN PART: "Cream of the Valley * * * Blackberries in Water Packed by Chas. L. Diven Portland, Oregon."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of rotten blackberries.

DISPOSITION: December 31, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11407. Adulteration of canned cherries. U. S. v. 251 Cases * * *. (F. D. C. No. 20748. Sample No. 63891-H.)

LABEL FILED: August 28, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about June 5, 1946, by Stockton Food Products, Inc., from Stockton, Calif.

PRODUCT: 251 cases, each containing 24 1-pound, 12-ounce cans, of dark sweet cherries at Paterson, N. J.

LABEL, IN PART: "Real-Ripe Brand Dark Sweet Cherries In Slightly Sweetened Water."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: January 6, 1947. The shipper having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

11408. Misbranding of canned peaches. U. S. v. 122 Cases * * *. (F. D. C. No. 20723. Sample No. 54222-H.)

LABEL FILED: August 22, 1946, Southern District of Florida.

ALLEGED SHIPMENT: On or about June 20, 1946, by the Russell & Decker Co., from Monticello, Ga.

PRODUCT: 122 cases, each containing 24 1-pound, 12-ounce cans, of peaches at Miami, Fla.

LABEL, IN PART: "Castella Brand White Freestone Halves Peaches."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product failed to conform to the standard of quality for canned peaches, since more than 20 percent of the units in the container were blemished, since not all of the units were untrimmed, or so trimmed as to preserve normal shape, and since the product was not labeled as substandard.

DISPOSITION: November 18, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

11409. Adulteration of canned prunes. U. S. v. Paulus Brothers Packing Co. Plea of guilty. Fine, \$1,200. (F. D. C. No. 20465. Sample Nos. 1078-H, 1374-H, 8299-H, 8441-H, 10870-H, 12785-H.)

LABEL FILED: August 21, 1946, District of Oregon, against the Paulus Brothers Packing Co., a corporation, Salem, Oreg.

ALLEGED SHIPMENT: Between the approximate dates of December 9 and 14, 1945,

from the State of Oregon into the States of Georgia, Florida, New York, Connecticut, and Massachusetts.

LABEL, IN PART: "Richland Prepared Oregon Dried Prunes in Heavy Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 13, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$200 on each of 6 counts was imposed by the court, a total fine of \$1,200.

DRIED FRUIT

11410. Adulteration of dates. U. S. v. Calavo, Inc. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 20460. Sample Nos. 37897-H to 37899-H, incl., 58121-H.)

INFORMATION FILED: August 20, 1946, Southern District of California, against Calavo, Inc., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about January 11, 12, and 15, 1946, from the State of California into the States of Washington and Oregon.

LABEL, IN PART: "Cal-Trop."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and decomposed dates.

DISPOSITION: September 30, 1946. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$400 was imposed.

11411. Adulteration of dates. U. S. v. 44 Cases * * *. (F. D. C. No. 20691. Sample No. 48118-H.)

LIBEL FILED: August 22, 1946, District of Utah.

ALLEGED SHIPMENT: On or about December 7, 1945, by Garden of the Setting Sun, from Mecca, Calif.

PRODUCT: 44 cases, each containing 24 14-ounce packages, of fresh dates at Salt Lake City, Utah.

LABEL, IN PART: "Garden of the Setting Sun * * * Edna Cast's California Fresh Dates."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae.

DISPOSITION: September 27, 1946. No claimant having appeared, judgment was entered ordering that the marshal feed the product to animals.

11412. Adulteration of dried peaches. U. S. v. 111 Cases * * *. (F. D. C. No. 21146. Sample No. 61940-H.)

LIBEL FILED: On or about November 23, 1946, District of Oregon.

ALLEGED SHIPMENT: On or about January 23, 1946, by the Vagim Packing Co., from Fresno, Calif.

PRODUCT: 111 25-pound cases of dried peaches at Eugene, Oreg.

LABEL, IN PART: "Plump and Meaty Brand Choice California Muir Peaches."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, and mites.

DISPOSITION: January 23, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11413. Adulteration of evaporated pear chops. U. S. v. 660 Bags * * *. (F. D. C. No. 20674. Sample No. 53331-H.)

LIBEL FILED: August 23, 1946, Western District of Kentucky.

ALLEGED SHIPMENT: On or about January 26, 1946, from Yakima, Wash.

PRODUCT: 660 44-pound bags of evaporated pear chops at Louisville, Ky, in possession of the Goodwin Preserving Co. The product was stored under insanitary conditions after shipment. The bags were torn, and rodent pellets were observed on and in the bags. Examination showed that the product contained rodent pellets, rodent hairs, and insects.